

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Senior Deputy Clerk.

F039972 People v. Restraino

Cause called and argued by Hill C. Snellings, Esq., counsel for appellant and by Aaron R. Maguire, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Dibiaso, J. and Gomes, J. leave the bench; they are replaced by Buckley, J. and Cornell, J.

F040606 People v. Peevy

Cause called and argued by Victor J. Morse, Esq., counsel for appellant. Kathleen McKenna, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Monday, June 9, 2003 at 1:45 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Timothy S. Buckley, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Senior Deputy Clerk.

F040563 Dozier v. Snyder

Cause called and argued by Steven Kaiser, Esq., Deputy Attorney General, counsel for appellant and by Thomas J. Richardson, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Tuesday, June 10, 2003 at 1:30 P.M.

IN THE

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IN AND FOR THE

Fifth Appellate District

F041251 In re Christiane J. et al., Minors; Tulare County Health and Human Services Agency

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F041251 In re Christiane J. et al., Minors; Tulare County Health and Human Services Agency v. Lydia P.

The matter is remanded to the juvenile court for clarification of the disposition as to Gabrielle. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042520 Geraldine L. v. Superior Court of Fresno County; Fresno County Dept. of Children and Family Services

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039024 People v. Jones

Appellant's petition for rehearing filed herein is denied.

F040374 People v. Kravitz

The judgment is affirmed. Vartabedian, Acting P.J.

We concur: Levy, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042404 Weems v. The Superior Court of Kern County; The People

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

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F040133 People v. King

The judgment of conviction is affirmed. The sentence is vacated and the matter is remanded for resentencing. The court is directed to strike from the sentence the one-year enhancement on the prison term prior arising out of Tulare Superior Court case No. 28833, to issue an abstract of judgment not only reflecting that change but also imposing correct terms on the count 1 robbery and the personal firearm use enhancement, and otherwise imposing the same sentence as before, and to forward certified copies of the amended abstract of judgment to appropriate persons. King has no right to be present at the resentencing. Gomes, J.

We concur: Vartabedian, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040277 Rodda v. Bell et al.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F041769 In re Ricardo L., Jr. a Minor

Filed order granting request for publication of the opinion.

F040734 People v. Islas

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F042040 Papi v. Hanson

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.